

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 199 OF 2006
IN
SUMMONS FOR JUDGMENT NO. 550 OF 2005
IN
SUMMARY SUIT NO. 1818 OF 2005

Punjab National Bank ..Appellant
(Ori.Defendant)

versus

Harvestdeal Securities Limited ..Respondents
(Ori.Plaintiffs)

Mr. Y. V. Divekar i/b. Prasanna Sarpotdar for
the Appellant.

Mr. Nitin Thakkar, Senior Advocate with Mr. Gaurav
Joshi i/b. RMG Law Associates for the Respondents.

CORAM : DR. S. RADHAKRISHNAN &
S. J. VAZIFDAR, JJ.

DATE : 13TH APRIL, 2006

P.C. :

1. Heard learned counsel for the Appellant and
the Respondents.

2. By this Appeal, the Appellant is challenging
the Order dated 20.2.2006 passed by the learned
Single Judge in Summons for Judgment whereby the

learned Single Judge granted conditional leave to the Appellant by directing the Appellant to deposit a sum of Rs.75 lacs in this Court within a period of four weeks.

2. We have perused the impugned order. Heard the learned counsel for both the parties. One of the grievance of the learned counsel for the Appellant is that there are various observations made by the learned Single Judge which may prejudice the Appellant in other collateral proceedings, as well as, in the suit. We, make it clear, that all the observations made in the above Summons for Judgment will not prejudice the rights and contentions of the Appellant in any manner in any other collateral proceedings. We, do not find any error in the order passed by the learned Single Judge in granting conditional leave to the Appellant on depositing the sum of Rs.75 lacs for the reasons set out in the said order. The learned counsel for the Appellant states that the said sum of Rs.75 lacs will be deposited with the Prothonotary & Senior Master within a period of four weeks from today. We direct the Prothonotary & Senior Master to forthwith invest the said sum of Rs.75 lacs with Punjab

National Bank, which is a Nationalised Bank in fixed deposit initially for a period of three years and to be renewed thereafter from time to time. Appeal disposed of accordingly.

3. The Prothonotary & Senior Master to act on an authenticated copy of this order.

(DR. S. RADHAKRISHNAN, J.)

(S. J. VAZIFDAR, J.)